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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,850	03/26/2004	Joseph Ferra	08575-111001	9102
26161	7590	05/19/2006	EXAMINER	
FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			SAMS, MATTHEW C	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 05/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/810,850	Applicant(s) FERRA ET AL.	
	Examiner Matthew C. Sams	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5 and 9-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Jin (US-6,266,615).

Regarding claim 1, Jin teaches a method comprising receiving a location range from a wireless handheld device associated with a driver and receiving data from the driver indicative of a more accurate location within the location range. (Fig. 6 and Col. 10 lines 50-68)

Regarding claim 2, Jin teaches displaying entries on the wireless handheld device based on the location range (Fig. 6 [606, 608 & 610]) and generating the data based on interaction of the driver with the displayed entries. (Fig. 6 [612, 614, 616 & 618] and Col. 10 lines 50-68)

Regarding claim 3, Jin teaches the entries include street names within the location range. (Col. 7 lines 34-65)

Regarding claim 4, Jin teaches the entries include street names the determination of which are based on an accuracy of location detection mechanism within the wireless handheld device. (Col. 6 line 57 through Col. 7 line 65)

Regarding claim 5, Jin teaches the interaction of the driver can be performed with a single keystroke. (Fig. 1 [102])

Regarding claim 9, Jin teaches determining the location range using a Global Positioning System, with the location range being limited by an accuracy of the GPS. (Col. 6 line 57 through Col. 7 line 26)

Regarding claim 10, Jin teaches generating the data by generating a list of landmarks or street names falling within the location range and eliminating entries from the list based on interaction by the driver. (Col. 7 line 33 through Col. 8 line 53)

Regarding claim 11, Jin teaches the eliminating comprises eliminating entries from the list based on a single keystroke by the driver. (Fig. 1 [102])

Regarding claim 12, the limitations of claim 12 are rejected as being the same reason set forth above in claim 1.

Regarding claim 13, the limitations of claim 13 are rejected as being the same reason set forth above in claim 3.

Regarding claim 14, the limitations of claim 14 are rejected as being the same reason set forth above in claim 1.

Regarding claim 15, the limitations of claim 15 are rejected as being the same reason set forth above in claim 2.

Regarding claim 16, the limitations of claim 16 are rejected as being the same reason set forth above in claim 3.

Regarding claim 17, the limitations of claim 17 are rejected as being the same reason set forth above in claim 4.

Regarding claim 18, the limitations of claim 18 are rejected as being the same reason set forth above in claim 5.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6-8 and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jin in view of Ohler et al. (US-6,424,910 hereafter, Ohler).

Regarding claim 6, Jin teaches the limitations of claim 1 above, but differs from the claimed invention by not explicitly reciting the selection of a reservation associated with the driver.

In an analogous art, Ohler teaches a method and system for providing related navigation features for two mobile users that includes the selection and notification of an arrival time of a user. (Col. 14 lines 5-8) At the time the invention was made, it would have been obvious to one of ordinary skill in the art to implement the real-time interactive navigation system of Jin after modifying it to incorporate the selection and notification of arrival time (reservation) associated with a user of Ohler. One of ordinary skill in the art would have been motivated to do this since it makes mobile users aware of their companion's location.

Regarding claim 7, Jin in view of Ohler teaches that the driver could be a taxi driver (Ohler Col. 13 lines 17-31) and it is obvious that the fare would be modified to include any discrepancies between the original meeting location and the actual meeting location since the rider could be unfairly charged or the taxi driver could be inadequately compensated.

Regarding claim 8, Jin in view of Ohler teaches that the driver could be a taxi driver (Ohler Col. 13 lines 17-31) and it is obvious that a taxi would be able to print an accurate receipt for services rendered.

Regarding claim 19, the limitations of claim 19 are rejected as being the same reason set forth above in claim 6.

Regarding claim 20, the limitations of claim 20 are rejected as being the same reason set forth above in claim 7.

Regarding claim 21, the limitations of claim 21 are rejected as being the same reason set forth above in claim 8.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew C. Sams whose telephone number is (571)272-8099. The examiner can normally be reached on M-F 7:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571)272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MCS

5/12/2006



LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER